

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:06-cr-213-MEF
)
 CARLOS BADILLO)

MOTION FOR DOWNWARD DEPARTURE

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and pursuant to the United States Sentencing Commission, Guidelines Manual, Section 5k1.1, respectfully requests this Honorable Court to downwardly depart two (2) levels, in the sentence that would otherwise be imposed on Defendant Carlos Badillo, and as reasons therefore, submits the following:

1. The United States herein states that the Defendant has provided substantial assistance in investigations of federal narcotics law violations in the Middle District of Alabama.
2. The United States submits that it will consider a further motion for downward departure pursuant to Federal Rules of Procedure, Rule 35, should the Defendant continue to cooperate with federal agents and the United States, and be ready, willing and able to testify in trials of the violators of federal law.

Wherefore, premises considered, the United States moves this Honorable Court for a downward departure from the calculated guideline range. This motion seeks a departure of two (2) levels.

Respectfully submitted this the 15th day of October, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Timothy Halstrom.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

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